

99TH CONGRESS
1ST SESSION

H. R. 160

To amend title II of the Social Security Act to provide for the payment of a transition benefit to the spouse of an insured individual upon such individual's death if such spouse has attained age fifty and is not otherwise immediately eligible for benefits.

C/RD
a/ROB
C/SSS
J.F.
What does
this mean?
J.F.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 1985

Ms. OAKAR introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend title II of the Social Security Act to provide for the payment of a transition benefit to the spouse of an insured individual upon such individual's death if such spouse has attained age fifty and is not otherwise immediately eligible for benefits.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That section 202 of the Social Security Act is amended by
- 4 adding at the end thereof the following new subsection:

1 “Transition benefits for Surviving Spouses

2 “(y)(1) The widow or widower of a fully insured individ-
3 ual (within the meaning of section 216 (c) or (g)), if such
4 widow or widower—

5 “(A) has attained age 50 at the time of such indi-
6 vidual's death,

7 “(B) is not entitled (and would not upon applica-
8 tion be entitled) to a monthly insurance benefit under
9 any other provision of this section or under section 223
10 for the month in which such death occurs, and

11 “(C) has filed application for benefits under this
12 subsection,

13 shall be entitled to a transition benefit for each month begin-
14 ning with the month in which such death occurs and ending
15 with the fourth month thereafter (or, if earlier, with the
16 month preceding the first month thereafter in which such
17 widow or widower remarries, dies, or becomes entitled to a
18 monthly insurance benefit under any other provision of this
19 section or under section 223).

20 “(2) The transition benefit of a widow or widower for
21 any month under this subsection shall be equal to 71½ per-
22 cent of the primary insurance amount of the insured individ-
23 ual, or (if it is larger and if such widow or widower is also a
24 fully insured individual) to 71½ percent of the primary insur-
25 ance amount of such widow or widower.

1 “(3) For purposes of this subsection, the determination
2 of the primary insurance amount of a living individual under
3 the age of 62, and the determination of whether or not such
4 an individual is fully insured, with respect to any month, shall
5 be made as though such individual had attained age 62 in
6 that month.

7 “(4) The entitlement of an individual to transition bene-
8 fits under this subsection shall not (after such entitlement has
9 ended) affect the eligibility of such individual for any other
10 monthly insurance benefits under this section or section 223,
11 or be taken into account in determining the amount of any
12 other benefits under this section or section 223 to which such
13 individual may become entitled.

14 “(5) Transition benefits payable to an individual under
15 this subsection shall not be considered monthly benefits to
16 which such individual is entitled under this section for pur-
17 poses of section 203(a), or for purposes of section 226(a).”.

18 SEC. 2. (a) Section 202(j)(1) of such Act is amended by
19 striking out “or (h)” and inserting in lieu thereof “(h), or (y)”.

20 (b) Section 202(m)(1) of such Act (as in effect pursuant
21 to section 2(j)(3)(D) of Public Law 97-123 (95 Stat. 1661)) is
22 amended by inserting “(other than a transition benefit under
23 subsection (y))” after “this section” where it first appears.

24 SEC. 3. The amendments made by this Act shall apply
25 with respect to deaths occurring on or after January 1, 1986.

○